

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 AUNDREA LYNN NATINS,

11 Petitioner,

12 v.

13 UNITED STATES OF AMERICA,

14 Respondent.

CASE NO. 3:18-cv-05775-RBL-JRC

ORDER TO TRANSFER

15
16 Aundrea Lynn Natins, a federal prisoner at the United States Federal Correctional
17 Institution (FCI) Satellite Camp in Dublin, California, has filed a Writ of Habeas Corpus in this
18 district. Dkt. 408. In this Request, she seeks judicial review of the execution of her sentence by
19 the Bureau of Prisons. Specifically, she seeks credit for the approximately twelve months and
20 four days she spent on pretrial release.

21 Title 28, United States Code, Section 2241 grants federal district court judges the
22 authority to grant a writ of habeas corpus to a prisoner who is being incarcerated in violation of
23 the Constitution or law of the United States. This power extends to reviewing challenges to the
24

1 BOP's decisions regarding execution of federal criminal sentences, including calculation of
2 release date. *See Hernandez v. Campbell*, 204 F.3d 861, 864 (9th Cir. 2000).

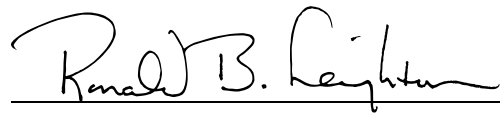
3 However, district court authority to issue writs of habeas corpus is limited to matters
4 "within their respective jurisdictions." 28 U.S.C. § 2241(a). For habeas petitions in which the
5 request for relief involves release from physical custody, the only proper venue lies in the district
6 of confinement, because the court considering the writ must have jurisdiction over the custodian.
7 *See, e.g., Braden v. 30th Judicial Circuit Court*, 410 U.S. 484, 495 (1973); *Rumsfeld v. Padilla*,
8 542 U.S. 426, 443 (2004) ("The plain language of the habeas statute thus confirms the general
9 rule that for core habeas petitions challenging present physical confinement, jurisdiction lies in
10 only one district: the district of confinement."); *Campbell*, 204 F.3d 861, 864 (9th Cir. 2000).

11 In this case, the proper respondent for Petitioner's motion is the warden of the facility at
12 which Petitioner is confined, and the only district court with jurisdiction to grant the requested
13 relief is the judicial district with jurisdiction over that warden. *See Padilla*, 542 U.S. 426, 443
14 (2004). Accordingly, as provided by 28 U.S.C. § 2241(b), this Court must "transfer the
15 application for hearing and determination to the district court having jurisdiction to entertain it."
16 The FCI Satellite Camp in Dublin, California, is in the Northern District of California. Hence,
17 this action must be transferred there.

18 The Court notes that, in any event, it could not grant the relief Petitioner is requesting.
19 Not only has she failed to exhaust her administrative remedies, as she must do before seeking
20 judicial relief, *see United States v. Wilson*, 503 U.S. 329, 335 (1992), but her period of home
21 confinement does not qualify as official detention for which she would be entitled to credit. *See*
22 *Fraley v. U.S. Bureau of Prisons*, 1 F.3d 924, 925-26 (9th Cir. 1993).

1 IT IS THEREFORE ORDERED that, as provided by 28 U.S.C. § 2241(b), Petitioner's
2 Request is transferred to the Northern District of California for consideration. The Clerk of this
3 Court is directed to take such actions as necessary to implement this transfer and service upon
4 the appropriate parties in the Northern District of California without unreasonable delay.

5
6 Dated this 3rd day of December, 2018.

7
8 

9 Ronald B. Leighton
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24